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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/047,056	01/14/2002	Jason Meyer	76867/20092	3511

23380 7590 07/15/2005
TUCKER, ELLIS & WEST LLP
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925 EUCLID AVENUE
CLEVELAND, OH 44115-1475

EXAMINER

ONEILL, MICHAEL W

ART UNIT	PAPER NUMBER
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3713

DATE MAILED: 07/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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10/047,056

EXAMINER

ART UNIT	PAPER
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07132005

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Commissioner for Patents

See attached letter.

Michael O'Neill

Michael O'Neill
Primary Examiner
Art Unit: 3713

DETAILED ACTION

Response to Amendment

The reply filed on 5-18-05 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): The amendment filed on 5-18-5 canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because the new claims 19-36 clearly pose a shift of invention from claims 1-18. See MPEP 821.03. Also, the present amendment fails to particularly address how and what the newly presented claims are patentability distinct from the prior art of rejection used the this previous rejection. Instead, the Applicants make a conclusionary statement of a general allegation of patentability. See 37 CFR 1.111. Moreover, the reply is non-responsive because the Applicants fail to provide where in the originally file disclosure is the support for the newly presented claims; thus inhibiting the Office from determining whether new matter has been introduce into the application by amendment. See 35 U.S.C §132. Applicant needs to submit a complete reply to the final rejection in order to comply with 37 CFR 1.114 or file a continuation/divisional application under 37 CFR 1.53(d).

Art Unit: 3713

Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).